

Notice of Allowability

Application No.

10/502,141

Examiner

Sam Rizk

Applicant(s)

BLACQUIERE ET AL.

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/15/2006.
2. ☒ The allowed claim(s) is/are 1-8 and 10-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


ALBERT DECADY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

DETAILED ACTION

- Response to the applicant's amendment dated 5/15/2006
- Claim 9 has been Cancelled
- Amended claims 1-8 and 10-20 have been submitted for examination
- Amended claims 1-8 and 10-20 have been allowed

Priority

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. 10/502,141, filed on 1/19/2005.

Specification

2. In view of the applicant arguments, all objections to the specification (section heading) are withdrawn.

Claim Objections

3. In view of amended claim 9 and cancelled claim 10, all objections to claims 9 and 10 are withdrawn.
4. In view of amended claims 6-8 filed on 7/20/2004 all objections to claims 6-8 are withdrawn.

Drawings Objections

5. In view of the applicant amended drawings filed on 5/15/2006; all objections to the drawings are withdrawn.

Claim Rejections - 35 USC § 101

6. In view of the applicant argument, see page 10, filed on 5/15/2006, all objections to the claims 1-5 rejections under section 35 USC § 101 are withdrawn.
7. The Examiner notes the paragraph at the top of page 6 in the office action filed on 2/24/2006 was inadvertently inserted and has no relevance to the instant application.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with attorney Robert McDermott on 7/21/2006.

8. Amend claim 10 to read:
 - A computer program **stored on a computer readable medium** that includes computer code that when executed by a processing system, causes the system to:
 - determine whether an error exists in stream data based on the stream data and an information file associated with the stream data:
 - determine a file offset of the error in the stream data based on the information file:

- determine a size of erroneous data in the stream data based on the information file; and
- insert correction data in the stream-data based on the 5le offset and the size of the erroneous data.

Response to Arguments

9. Applicant's arguments see pages 11 and 12, filed on 5/15/2006, with respect to claims 1-15 have been fully considered and are persuasive. The rejection of claims 1-15 under Claim Rejections - 35 USC § 102 has been withdrawn.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance:

10. The prior Art of record and in particular katsavounidis teaches:
- A method for correcting partially corrupted stream data with variable length MPEG code comprising:
 - determining whether an error exists in stream data based on-the stream data and identifies location or locations of an error.

However, the prior art do not teach, suggest, or otherwise render obvious:

- determining whether an error exists in stream data based on-the stream data and an information file associated with the stream data;
- determining a file offset of the error in the stream data based on the information file;

- determining a size of erroneous data in the stream data based on the information file ; and
 - inserting correction data in the stream data based on the file offset and the size of the erroneous data.
11. Claims (2-8) depend from claim 1.
 12. Claims 11 and 11 have similar language to claim 1.
 13. Claims (16-20) depend from claim 10.
 14. Claims (12-15) depend from claim 11.

Conclusion

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Rizk whose telephone number is (571) 272-8191. The examiner can normally be reached on M-F 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (571) 272-3819. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2133

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronics Business Center (EBC) at 866-217-9197 (toll-free)

Sam Rizk, MSEE, ABD

Examiner

ART UNIT 2133

[Handwritten signature]
1/24/06

ALBERT DECADY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100
[Handwritten signature]